

2005 Hazardous Vegetation Management Program

City of Milpitas Assessment Report

	Situs		APN	OWNER ADDRESS			TAX ROLL AMT
1	51	Dixon	026-05-053	Chang Carol	67 Berlywood Ln	MILPITAS	95035-2543 \$468.75
2			028-24-006	At&t Comms Of Calif Inc	1090 E Duane Av	SUNNYVALE	94085-2623 \$843.75
3	814	Calaveras Ridge	029-06-030	Yu Frank N And Glory Trustee	12000 Emerald Hill Ln	LOS ALTOS HILLS	94022-4546 \$562.50
4	826	Calaveras Ridge	029-06-031	Peter G And Jaime C Vavaroutsos	3441 Cedardale Drive	San Jose	95035-3446 \$1,687.50
5	1039	Camarillo	029-52-015	Farsi Rostam D And Parivash O	1132 Onondaga Way	FREMONT	94539-6737 \$1,475.00
6	3553	Vista Norte	042-30-027	Lau George S And Laura A	1945 Walnut Grove Av	SAN JOSE	95126-1337 \$1,181.25
7		Main	086-08-012	Patel Surendra M And Ranjan S	3391 Belgrove Ct	SAN JOSE	95148-3114 \$918.75
8		Serra	086-08-045	Dhillon Bhupindar S And Rajinder K	2705 Peachwood Ct	SAN JOSE	95132-2127 \$703.13
9	526	Main	086-25-011	Itchhaporia Jayvadan N And	1019 Cervantez Ct	MILPITAS	95035-3450 \$815.63
10		Main	086-25-020	Woo Kan J And Lan H	2650 Kelly Av	MC KINLEYVILLE	95519-3378 \$693.75
11		Main	086-25-028	Panchal Natwarlal M And Gita N	3200 Monterey Rd	SAN JOSE	95111-3316 \$750.00
12			086-32-038	Southside Industrial Pk Genl Part	777 N 1st St 5th Fl	SAN JOSE	95112 \$2,175.00
13			086-32-039	Southside Industrial Pk Genl Part	777 N 1st St 5th Fl	SAN JOSE	95112 \$1,200.00
14	2369	Capitol	086-37-004	Dedeaux Raoul And Helen L	1430 So Eastman Av 2nd	LOS ANGELES	90023-4006 \$2,812.50
15	750	Capitol	086-37-027	Roadway Express Inc	Po Box 471 Tax Dept	AKRON	44309-0471 \$2,925.00
16		Los Coches	086-39-001	Genesis United Methodist Church	633 S Main St	MILPITAS	95035 \$275.00
17	375	Dempsey	088-01-002	Kakkar Sanjiv	5551 Sierra Rd	SAN JOSE	95132-3423 \$1,631.25
18		Dempsey	088-04-060	Chang Wen-i And Josie Et Al	12125 Oak Park Ct	LOS ALTOS HILLS	94022 \$1,875.00
19		Park Victoria	088-04-062	Chang Wen-i And Josie Et Al	12125 Oak Park Ct	LOS ALTOS HILLS	94022 \$1,125.00
20		Dempsey	088-04-076	Chang Wen-i And Josie Et Al	12125 Oak Park Ct	LOS ALTOS HILLS	94022 \$562.50
21	1250	Piedmont	092-34-014	Old Piedmont Development Inc	456 Montgomery St Unit	SAN FRANCISCO	94104-1247 \$2,531.25

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Situs	APN	OWNER ADDRESS	TAX ROLL AMT
			TOTAL \$27,212.50

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS CONFIRMING
A WEED ABATEMENT REPORT AND ASSESSMENT LIST TO BE ENTERED ON
TAX ASSESSMENT BILL**

WHEREAS, the County Department of Agriculture and Resource Management Office of the Fire Marshal has filed a report and weed abatement assessment list with the City Clerk in conformance with Title V, Chapter 202 of the Milpitas Municipal Code; and

WHEREAS, a hearing was held on said report and assessment list on this date.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milpitas a follows:

That the 2005 Weed Abatement assessment by the County of Santa Clara for the City of Milpitas, filed by the County Department of Agriculture and Resource Management Office of the Fire Marshal, are hereby confirmed without modification; and

That the said assessment list report is hereby remanded to said County Department of Agriculture and Resource Management Office of the Fire Marshal to be entered on the tax assessment rolls as provide by Title V, Chapter 202 of the Milpitas Municipal Code.

PASSED AND ADOPTED this 2nd day of August 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Steven T. Mattas, City Attorney

MEMORANDUM

Office of the Fire Marshal



To: Honorable Mayor and Council Members

Through: Charles Lawson, Interim City Manager

From: Demetrius Kastros, Acting Fire Chief

By: Patricia Joki, Fire Marshal

Subject: Weed and Hazard Abatement Programs

Date: July 20, 2005

The following is a summary of the weed abatement program currently administered by the City of Milpitas and County of Santa Clara.

City of Milpitas Weed Abatement Program:

Residential Weed Abatement, Fire Suppression Staff: In May of each year engine companies conduct a survey of residential areas, monitoring for compliance with City of Milpitas weed and hazard abatement ordinances¹. Prior to issuing an abatement/violation notice, the address is compared to a list of locations where Code Enforcement has already issued abatement notices. If serious fire hazards exist, Fire staff coordinates with Code Enforcement, to expedite compliance. Residents are given two full weekends to abate the hazards. When the occupant fails to comply with the violation notice and abatement requirements, the address is referred to the Bureau of Fire Prevention for hazard confirmation, and issuance of a violation/inspection notice to the property owner via certified mail. If the property owner fails to comply at this level, Fire Prevention staff "post" the property as a clear and present danger to the public welfare. Failure on the part of the property owner to complete the abatement results in the City abating the hazard and pursuing cost recovery for this service.

Commercial and industrial areas, Bureau of Fire Prevention Staff: Fire Prevention staff survey commercial and industrial inspection districts and issue abatement notices directly to property owners². Failure on the part of the property owner to abate the hazard results in the City "posting" the property. Similar to the residential process, abating the hazard and pursuing cost recovery results when the property owner fails to comply with their responsibility.

The Fire Department prefers compliance be attained by the willingness of the individual to comply, however, if necessary, an administration citation can be issued for failure to abate the hazard. Charges for violations are \$100.00 for the first violation, \$200.00 for the second violation (within 12 months), and \$500.00 for the third violation (within the 12 months).

¹ Engine companies may also respond to citizen reports or complaints of weed hazards.

² Prevention staff may also respond to citizen reports or complaints of weed hazards

Neighborhood Beautification Ordinance, Weed Abatement Program: After an inspection has verified the existence of tall weeds, an abatement notice is sent to the property owner giving 31 days to abate the weeds³. An administrative citation is issued after 31 days if the weeds are not abated. Charges for citations are identical to that listed above. If the hazard is not abated, and the situation results in a fire hazard, a referral is made to the Bureau of Fire Prevention. The property owner is then contacted, and the process for City "posting" of the property, abatement and cost recovery is undertaken if necessary.

Santa Clara County Weed Abatement Program

Residential, Commercial, Industrial and Hillside Properties: In the 1970's Cities within Santa Clara County each independently implemented a weed abatement program throughout their jurisdiction. In later years Cities requested the County to administer a comprehensive countywide program to eliminate duplicate staff resources and streamline the autonomous programs. The County program, as designed, offers a mutually beneficial solution to both Cities and property owners faced with parcels requiring routine weed abatement on an annual basis. By having one jurisdiction responsible for contract administration, to monitor contractor performance, and parcel's weed abatement status throughout the county, it frees City staff within each jurisdiction to concentrate on City-implemented programs. Additionally, property owners who own multiple parcels in differing jurisdictions with questions on service only need to contact one jurisdiction for answers. This comprehensive countywide program is in place to provide property owners and Cities the convenience of weed abatement activities as a yearly service.

In the fall of each year, the County Department of Agriculture and Resource Management Office of the Fire Marshal prepares a list of properties to be abated for the following year. City Council adopts this list as a resolution. Parcels include residential, commercial and industrial vacant lots, and firebreaks (roads and mountainous areas) in the hillside. In winter, the County requests the property owner to advise if they desire to perform their own abatement work for the coming year. Properties abated by the County are treated with pre-emergent herbicidal spray in the New Year and disced beginning in May. Two discings, as well as handwork along fringe edges of the property, may be necessary to abate the hazard. In late summer the County prepares a list of properties abated, which identifies the cost of the abatement activity for Council action. Once Council passes the resolution, the cost becomes a lien on the property and is listed and collected with the parcel's property taxes.

³ A 31-day NBO abatement window is for non-hazardous weeds.